

**COUNTY OF SAN LUIS OBISPO BOARD OF SUPERVISORS  
AGENDA ITEM TRANSMITTAL**

(1) DEPARTMENT Public Works	(2) MEETING DATE 6/3/2014	(3) CONTACT/PHONE Jeff Lee, Project Manager (805) 781-1043	
(4) SUBJECT Request to approve Amendment No. 2 to the agreement with Waterway's Consulting, Inc., in the amount of \$14,560 to provide design revisions to the Arroyo Grande Creek Waterway Management Program (WMP) Alt 3a and Mod 3c project plans; and authorize the Public Works Director to sign future amendments to the agreement in an amount not to exceed an additional contingency of \$20,000 to address such changes in scope and/or completion date. District 4.			
(5) RECOMMENDED ACTION It is recommended that the Board, acting as the San Luis Obispo County Flood Control and Water Conservation District (District): <ol style="list-style-type: none"> <li>1. Approve Amendment No. 2 to the Agreement with Waterway's Consulting, Inc., dated May 22, 2012, in the amount of \$14,560 to provide design revisions to the project plans associated with permitting requirements; and</li> <li>2. Authorize the Public Works Director to sign future amendments to the Agreement in an amount not to exceed an additional contingency of \$20,000 to address such changes in scope and/or completion date so long as such changes are reasonable modifications to the scope of services or the time of performance.</li> </ol>			
(6) FUNDING SOURCE(S) Flood Control General Reserves	(7) CURRENT YEAR FINANCIAL IMPACT \$14,560.00	(8) ANNUAL FINANCIAL IMPACT N/A	(9) BUDGETED? Yes
(10) AGENDA PLACEMENT <input checked="" type="checkbox"/> Consent <input type="checkbox"/> Presentation <input type="checkbox"/> Hearing (Time Est. ___) <input type="checkbox"/> Board Business (Time Est. ___)			
(11) EXECUTED DOCUMENTS <input type="checkbox"/> Resolutions <input checked="" type="checkbox"/> Contracts <input type="checkbox"/> Ordinances <input type="checkbox"/> N/A			
(12) OUTLINE AGREEMENT REQUISITION NUMBER (OAR) 19001404		(13) BUDGET ADJUSTMENT REQUIRED? BAR ID Number: N/A <input type="checkbox"/> 4/5 Vote Required <input checked="" type="checkbox"/> N/A	
(14) LOCATION MAP Attached	(15) BUSINESS IMPACT STATEMENT? No	(16) AGENDA ITEM HISTORY <input type="checkbox"/> N/A    Date: 5/22/12, #15	
(17) ADMINISTRATIVE OFFICE REVIEW <i>Nikki J. Schmidt</i>			
(18) SUPERVISOR DISTRICT(S) District 4			

Reference: 14JUN03-C-5

# County of San Luis Obispo



TO: Board of Supervisors  
FROM: Public Works  
Jeff Lee, Project Manager  
VIA: Dean Benedix, Utilities Division Manager  
DATE: 6/3/2014

SUBJECT: Request to approve Amendment No. 2 to the agreement with Waterway's Consulting, Inc., in the amount of \$14,560 to provide design revisions to the Arroyo Grande Creek Waterway Management Program (WMP) Alt 3a and Mod 3c project plans; and authorize the Public Works Director to sign future amendments to the agreement in an amount not to exceed an additional contingency of \$20,000 to address such changes in scope and/or completion date. District 4.

## **RECOMMENDATION**

It is recommended that the Board, acting as the San Luis Obispo County Flood Control and Water Conservation District (District):

1. Approve Amendment No. 2 to the Agreement with Waterway's Consulting, Inc., dated May 22, 2012, in the amount of \$14,560 to provide design revisions to the project plans associated with permitting requirements; and
2. Authorize the Public Works Director to sign future amendments to the Agreement in an amount not to exceed an additional contingency of \$20,000 to address such changes in scope and/or completion date so long as such changes are reasonable modifications to the scope of services or the time of performance.

## **DISCUSSION**

The Arroyo Grande Creek WMP Alt 3a and Mod 3c Project is a flood control and habitat restoration project within the Arroyo Grande Creek and Los Berros Diversion channel within Zone 1/1A. The project goal is to increase the flood carrying capacity of the creek in order to protect the adjacent community while continuing to enhance the endangered species habitat. Project Alt 3a focuses on vegetation and sediment removal, creek flow enhancements and levee improvements. Project Mod 3c seeks to increase levee height to provide a much greater level of flood protection.

Your Board executed an Agreement with Waterway's Consulting, Inc. on May 22, 2012 for preparation of final engineering drawings and specifications to meet the flood control objectives in the Arroyo Grande Creek Waterway Management Program (WMP) for the two projects; Alt 3a project and Mod 3c project.

As project development on the Alt 3a project has progressed, preliminary permit requirements from the resource agencies have resulted in changes to the plans. It is likely that we will need to have several more project meetings with the resource agencies to collaborate and finalize permit conditions for the project. Since the amount of Amendment No. 2 would exceed the authorized authority of the Director, it is recommended the Board approve Amendment No. 2 and authorize the Public Works Director to authorize amendments not to exceed an additional \$20,000 for a remaining project contingency of \$32,557, in order to provide staff with the flexibility to respond to discussions and permit conditions from the resource agencies.

### **OTHER AGENCY INVOLVEMENT/IMPACT**

District staff continues to provide frequent updates to the Zone 1/1A Advisory Committee on these projects.

Permits are required from the Army Corps of Engineers, National Marine Fisheries Service, U.S. Fish & Wildlife Service, Regional Water Quality Control Board, California Coastal Commission and California Department of Fish & Wildlife. Staff has had numerous discussions with each of these agencies and is attempting to resolve potential mitigation impacts associated with the project.

County Counsel has reviewed and approved Amendment No. 2 for legal form and effect.

### **FINANCIAL CONSIDERATIONS**

WMP Alternative 3a (300477) and Modified 3c (300478) projects are budgeted in the Flood Control Zone 1 Fund. Funding for this Amendment No. 2 to the Alternative 3a project in the amount of \$14,560 and the additional contingency of \$20,000 is included in the existing short term loan from Flood Control Zone General Reserves, secured by federal grants (Prop. 1E, and Prop. 84), a state grant (Hazard Mitigation Grant Program), and a USDA loan.

No budget adjustment is necessary.

### **RESULTS**

Approval of the recommended actions will amend the existing Agreement with Waterways Consulting, Inc. in order to address permit conditions from the resource agencies.

This work will provide the basis for acquiring necessary funding to design plans and implement construction of improvements that will reduce flooding and ensure the health and safety of the Oceano community.

File: WBS 300477 & 300478

Reference: 14JUN03-C-5

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### **ATTACHMENTS**

1. Vicinity Map
2. Amendment No. 2